Remarks

The specification has been amended as requested in the Office Action. The specification has been amended to provide literal antecedent basis for claims 43 and 57. No new matter is introduced into the application by these amendments.

Interview Summary

Applicants gratefully acknowledge the courtesy of the Examiner in granting a telephonic interview, with the application under Final Rejection, held November 5, 2003. Examiner Lewis and Applicants' representative, Christopher Gram, discussed all of the claims with respect to U.S. Patent No. 5,514,120 ("Johnston"). Applicants' representative explained that Johnston discloses absorbent articles that employ a microstructure-bearing surface to transport fluid within an absorbent core. Johnston fails to teach or suggest an article having a microstructure-bearing surface that permits transport of fluid *between* a medical treatment site and a remote area. Examiner Lewis indicated that she would perform an additional search before the pending claims could be deemed allowable.

Double Patenting Rejection

Claims 36-50 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 2, 6, 8, 9, 14-16, 19, 20, 25, 26, 35, and 36 of U.S. Patent No. 6,420,622 ("the '622 patent"). The Office Action acknowledges that the conflicting claims are not identical, but that the claims of the present application are broader than the claims of the '622 patent. Upon indication of otherwise allowable subject matter, Applicants will provide an appropriate response in the event that this rejection is maintained.

Conclusion

Applicants submit that the application is in condition for allowance. Reconsideration of the application and allowance of the pending claims is requested.

Respectfully submitted,

November 6, 2003

Date

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